

MINUTES

REAL ESTATE APPRAISER LICENSURE AND CERTIFICATION BOARD

Thursday, June 11, 2009

Mr. Traynor called the meeting to order at 9:30 a.m. in Room W064 of the Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana, and declared a quorum, in accordance with IC § 25-34.1-8-4.

Members Present:

Joe Traynor, Chairman
Wayne Johnson, Vice Chairman
Terry Watson, Appraiser Member
John Newlin, Appraiser Member
Lowell K. Griffin, Appraiser Member
Liz Stoll, Lender Member

Members Absent:

James Lewis, Consumer Member

State Officials Present:

Nicholas Rhoad, Director Indiana Real Estate Commission
Stephanie Sims, Litigation Specialist
Jim Schmidt, Deputy Attorney General

I. CHAIRMAN'S REPORT

Mr. Traynor delivered a detailed report on the current activities of the Board, the AQB, the ASB, and the ASC

II. REPORT FROM THE INDIANA ATTORNEY GENERAL'S OFFICE

The AG's office provided a report on the number of consumer complaints.

III. OLD/NEW BUSINESS

A. ASC Update

Mr. Rhoad provided an update on the ASC

B. CE Issue update

Mr. Rhoad provided an update on the Continuing Education / ASC matter

C. Legislative Update

Mr. Rhoad provided an update on legislative affairs and interim summer study committees

D. Probation monitoring contract

No action was taken on this matter

E. Exam contract

Mr. Rhoad provided an update to the REAB on the current status of the exam contract

F. Reactivation of License Coleen Johnson

A motion was made and seconded to approve the reactivation of Ms. Johnson

G. Mortgage Fraud Taskforce

Mr. Rhoad provided an update on the Mortgage Fraud Taskforce and the closing database.

IV. STATUS OF LICENSEES ON PROBATION

A. Report from Staff regarding licensees on probation

Ms. Sims reported that everyone is in compliance with the terms of their probation.

B. State of Indiana v. Mario Carrizales – (Wayne)

REAB 08-20

Re: Discussion on his Appraisal reports

Mr. Johnson outlined his concerns about Mr. Carrizales' appraisals, but did not take official action.

V. DISCIPLINARY HEARING – 10:00 AM

A. State of Indiana v. Brenda Stephens

REAB 06-132

Re: Disciplinary Hearing

A motion was made and seconded to place Ms. Stephens' license on probation

Motion Carried 6-0-0

VI. RENEWAL OF SUMMARY SUSPENSION HEARING

A. State of Indiana v. Thomas Ely

REAB 08-21

Re: Renewal of summary suspension

A motion was made and seconded to Renew the Summary Suspension of Mr. Ely's license

Motion Carried 6-0-0

VII. REPORT FROM Ms Stoll

Re: PERSONAL APPEARANCE FOR LICENSEE ON PROBATION

A. State of Indiana v. Michael Nikirk

REAB 07-70

Re: Final Order stipulates respondent appear before the Board every 90 days

Ms. Stoll reported Mr. Nikirk is in compliance with the terms of his probation

B. State of Indiana v. Dan Wait

REAB 08-22

Re: Final Order stipulates respondent appear before the Board every 90 days

Ms. Stoll reported Mr. Wait is in compliance with the terms of his probation

VIII. DELIBERATIONS AND POSSIBLE ISSUANCES OF FINAL ORDER

A. State of Indiana v. Ja'Neane Minor

REAB 06-145

Re: Proposed Findings of Fact, Conclusions of Law and Order

A motion was made and seconded to approve the Proposed Findings of Fact, Conclusions of Law and Order

Motion Carried

6-0-0

B. State of Indiana v. Floyd A. Heaton Jr.

REAB 09-01

Re: Proposed Findings of Fact, Conclusions of Law and Order

A motion was made and seconded to approve the Proposed Findings of Fact, Conclusions of Law and Order

Motion Carried

Motion Carried

6-0-0

C. State of Indiana v. Chad Leon Brewer

REAB 09-03

Re: Proposed Findings of Fact, Conclusions of Law and Order

A motion was made and seconded to approve the Proposed Findings of Fact, Conclusions of Law and Order

Motion Carried

Motion Carried

6-0-0

D. State of Indiana v. Kenneth Lee Young

REAB 09-06

Re: Proposed Findings of Fact, Conclusions of Law and Order

A motion was made and seconded to approve the Proposed Findings of Fact, Conclusions of Law and Order

Motion Carried

6-0-0

E. State of Indiana v. Bradley D. Hersberger

REAB 09-13

Re: Proposed Findings of Fact, Conclusions of Law and Order

A motion was made and seconded to approve the Proposed Findings of Fact, Conclusions of Law and Order

Motion Carried

6-0-0

IX. ADMINISTRATIVE LAW JUDGE ORDER FOR DELIBERATIONS AND POSSIBLE ISSUANCES OF FINAL ORDER

A. State of Indiana v. Jon J. Olinger

REAB 06-162

Re: Administrative Law Judge Order

A motion was made and seconded to approve Administrative Law Judge Order

Motion Carried

6-0-0

X. CONSIDERATION TO VOLUNTARY DISMISSAL

A. State of Indiana v. Joseph A. Darling

REAB 09-02

Re: Motion for Voluntary Dismissal

A motion was made and seconded to approve the Motion for Voluntary Dismissal

Motion Carried

6-0-0

B. State of Indiana v. Hilton Morris Jr.

REAB 09-05

Re: Motion for Voluntary Dismissal

A motion was made and seconded to approve the Motion for Voluntary Dismissal

Motion Carried

6-0-0

XI. DISCIPLINARY HEARINGS (All hearings in this section begin at 1:00)

A. State of Indiana v. Albert Young Jr.

REAB 08-11

Re: Disciplinary Hearing

No action was taken on this matter

B. State of Indiana v. Barry Bulger

REAB 09-07

Re: Disciplinary Hearing

A motion was made and seconded to issue a Notice of Proposed Default

Motion Carried 6-0-0

- C. State of Indiana v. Catherine Grealis***
REAB 09-17
Re: Disciplinary Hearing
No action was taken on this item pending a settlement
- D. State of Indiana v. Cheryl Gorman***
REAB 09-09
Re: Disciplinary Hearing
No action was taken on this item pending a settlement
- E. State of Indiana v. Christopher Bernard***
REAB 08-23
Re: Disciplinary Hearing
No action was taken on this item pending a settlement
- F. State of Indiana v. Jay Martin***
REAB 07-59
Re: Disciplinary Hearing
No action was taken on this item pending a settlement
- G. State of Indiana v. Jeffrey B. Wolfe***
REAB 09-12
Re: Disciplinary Hearing
No action was taken on this item pending a settlement

XII. COSTS

- A. State of Indiana v. Abigail Buckley**
REAB 08-36
Re: Costs
A motion was made and seconded to approve the costs in the above matter.
Motion carried
6-0-0

XIII. APPLICATION REVIEW

- 1. David Masten CR
- 2. Michelle Shoven CR
- 3. Wilbur Alonzo Webb III TR positive response
- 4. Kristen L. Beardsley CR

A. Temporary Permits

- 1. See attached sheet
- 2. Louis W. Frillman positive response

Education Application Review

- 1. Appraisal Institute**
Introduction to Valuation for Conservation Easements 7.0 hours
Instructor: Frank Harrison

The Discounted Cash Flow Model: Concepts, Issues, and Applications 7.0 hours
Instructor: Kenneth Lusht
- 2. American Society of Farm Managers and Rural Appraisers**

Wind Power 7.0 hours
Appraising Rural Residential Properties 7.0 hours
Instructor : James Synatzske

3. McKissock

New Fannie Mae Form 1004MC and MORE! 7.0 hours
Instructor: Ken Guilfoyle

Joseph A. Traynor, Chairman

Date